TUSKEGEE STUDY

Mr. HUMPHREY. Mr. President, a recent newspaper article points out the im-

mediate need of legislation in the field of human experimentation. At the first open session of a Government probe into the Tuskegee Study, which began in 1932 and continued until publicity closed the project last year, several doctors testified that there is no evidence that participants in the controversial Federal syphilis experiment ever gave their informed consent to participate.

Mr. President, in introducing the National Human Experimentation Board Act of 1973 (S. 878) I stated that mere consent was not an adequate protection for people involved in complicated and dangerous human experimentation. We need information on and guidelines for all experiments involving human subjects that occur in this country. We here in Congress have a moral responsibility to see that Federal funds are not used in inhuman and careless ways.

Two days after the above information was revealed, Caspar W. Weinberger, Secretary of Health, Education, and Welfare, announced that all necessary medical care would be given to the survivors of the syphilis experiment. Mr. Weinberger said:

> I have personally reviewed the facts in this study, because of this highly unusual and, to our knowledge, fortunately unique research project, I feel that the Federal Government has a strong obligation to continue medical care for all the participants by providing them a full range of medical services for the rest of their lives.

Mr. President, I submit that the Secretary of Health, Education, and Welfare has no way of knowing whether the Tuskegee study is unique or not. We have no method of obtaining reliable information on Federal projects involving human experimentation.

Mr. President, I ask unanimous consent that the article on the Tuskegee study be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 24, 1973]

SYPHILIS STUDY IS HIT ON NOTIFYING PATIENTS

(By Jean Heller)

Doctors testified yesterday that there is no evidence that participants in a controversial federal syphilis experiment ever gave their informed consent to take part.

Furthermore, they said, the Alabama black men who participated probably didn't know they were subjects of a scientific experiment or understand the nature and potential danger of the disease they had.

And one of the doctors said he believed the participants had been subjected to undue coercion to cooperate.

The men testified at the first open session of a government-appointed citizens' panel investigating the experiment, known as the Tuskegee Study, which began in 1932 and ended after public disclosure of the project last summer. The experiment was sponsored by the U.S. Public Health Service, a division of the Department of Health, Education and Welfare.

In the study, conducted among poor, rural black men in Macon County, Ala., more than 430 men all with syphilis, were never given treatment for the disease so that PHS doctors could study what damage untreated syphilis does to the human body.

At least 28, and possibly as many as 107, of the men died as a direct result of untreated syphilis.

Dr. Reginald James, now with the Social Security Administration, was in Macon County during the late 1930s and early 1940s working on a venereal disease treatment program for the Alabama state health department.

He testified that a nurse assigned to aid him also was participating in the administration of the Tuskegee Study and pointed out the experiment's participants so the doctor wouldn't treat them.

"There were some people who wanted treatment and were told if they took it they would be out of the study," Dr. James said. "They knew they would lose the cash and free burial which had been promised to them in return for their participation."

Dr. J. W. Williams, a Tuskegee doctor who worked as an intern on the experiment in 1932-33, told the panel he helped take blood tests of men who came to the clinics set up by the PHS.

"In the early clinics, nobody was told about the active condition of his serology," Dr. Williams said. "In some cases maybe a person was told he had bad blood and he knew that was a social stigma, but he didn't know what the consequences could be."

Dr. Arnold Schroeter, now a consultant in dermatology at the Mayo Clinic in Rochester, Minn., managed the Tuskegee Study between 1969 and 1971.

"If a patient asked what was wrong with him, he was told," Dr. Schroeter said. "So far as informed consent, I have no knowledge, no record, that was obtained." However, he added that the concept of informed consent did not exist as strongly in the 1930s as it does today.